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QUESTION OF THE REALIZATION IN ALL COUNTRIES OF THE ECONOMIC, SOCIAL AND CULTURAL RIGHTS CONTAINED IN THE UNIVERSAL DECLARATION OF HUMAN RIGHTS AND IN THE INTERNATIONAL COVENANT ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS, AND STUDY OF SPECIAL PROBLEMS WHICH THE DEVELOPING COUNTRIES FACE IN THE EFFORTS TO ACHIEVE THESE HUMAN RIGHTS

THE EFFECTS OF THE EXISTING UNJUST INTERNATIONAL ECONOMIC ORDER ON THE ECONOMIES OF THE DEVELOPING COUNTRIES, AND THE OBSTACLE THAT THIS REPRESENTS FOR THE IMPLEMENTATION OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS

Written statement submitted by North-South XXI, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement, which is circulated in accordance with Economic and Social Council resolution 1296 (XLIV).

[4 March 1997]

1. The Copenhagen Declaration on Social Development of 15 June 1995 and the Programme of Action of the World Summit for Social Development are an integral part of the set of reference points which make progress in the field of human rights possible. All the States of the international community have agreed to give "the highest priority" to social policies and have stated their intention to "place people at the centre of development".

2. The "ten commitments" made at Copenhagen, which affirm the "right to development" and call for the "equitable distribution" of income and resources "through equity and equality of opportunity for all" and for the "eradication of poverty", are the necessary conditions for the effectiveness of human rights and in themselves constitute fundamental principles arising out of

these rights. Yet they are contradicted by the public policies of many States which, instead, act in accordance with the structural adjustment plans and recommendations of the World Bank and the International Monetary Fund (IMF) by institutionalizing poverty and reducing States' social policy to the setting-up of "safety nets" for the poor in order not to waste "human resources" and hinder the privatization process in countries undergoing adjustment. According to the World Bank, "good governance" means that each country, in its social policy, must limit itself to maintaining domestic order and providing assistance to its neediest inhabitants in cooperation with non-governmental organizations (NGOs), thereby compensating for the damage caused by adjustment policies.

3. The Social Summit, on the contrary, rejecting the traditional, neoliberal approach that gives priority to economics, instead gives priority to social issues and rejects the artificial distinction between political, economic and social issues. The Social Summit (unlike the World Bank) does not make NGOs substitutes for public social services which protect the poor like the charitable associations of the nineteenth century. The "ten commitments" made at Copenhagen do not make NGOs into adjuncts of a neoliberal system and partners in consensus in order to contribute to the success of structural adjustment policies on a global scale.

4. The Social Summit, on the contrary, commits States, international organizations and NGOs to a policy of full employment and social equality and of regulation by law with the help, inter alia, of the International Labour Organization (ILO) conventions. It recognizes that economic and social rights are enjoyed by all the citizens of the State, which has the primary responsibility for implementing them.

5. Whereas the World Bank's policy is to "assist the poor" within the framework of a two-tier society which includes a quasi-permanent "underclass", Commitment 2 speaks of the need to "focus our efforts and policies to address the root causes of poverty and to provide for the basic needs of all". It explains that this is a "strategic objective" which requires a reorientation of the entire network of financial and economic institutions on the basis of the principles laid down at Copenhagen rather than bringing all policies into line with the "model" defined by the World Bank or the IMF.

6. Despite the "ten commitments" solemnly entered into at Copenhagen, States are drawn at the urging of the G7 countries into a "globalization" process in which social issues are merely a minor "accessory" to financial and economic policies in which speculation plays a major role. Despite the fact that the wealth of the planet has increased sevenfold in 50 years, its distribution is increasingly unequal, both within individual economies and at the level of the world economy. The social consequences of this are growing poverty and the marginalization which is becoming a permanent state for hundreds of millions of people in both the North and the South.

7. The many anomalies of international trade continue to reflect the total domination of transnational companies and financial groups: for example, contracts with no set price which merely refer to the "market price"; trade agreements that include conditions of a political nature; legislation which discriminates in matters of trade, such as the American Helms-Burton

and d'Amato-Kennedy acts, which prohibit any State from engaging in trade relations with States which the United States alone designates; embargoes and other forms of discrimination, which continue to exist despite the principles established by the World Trade Organization (WTO); violations of ILO conventions; etc.

8. The practices and the very structure of international trade encourage the concentration of wealth in one area of international society and make development impossible for the majority of peoples. This has extremely serious consequences for the economic and social rights enshrined in the various human rights conventions, covenants and declarations.

9. The Vienna Declaration of 1993 on human rights emphasizes that economic and social rights are indivisible from civil and political rights and freedoms and that no priority may be assigned to any one of them. Consequently, no State can claim to give "lessons" in human rights to anyone, since their domination of the entire international trading system makes the major Powers themselves - the very ones which claim to represent universal values - responsible for the most serious violations of economic and social rights.

10. It is encouraging that the Commission on Human Rights is devoting many of its agenda items to the numerous attacks on, inter alia, freedom of opinion, religion and association in many of the world's States; however, the "ten commitments" of the Social Summit, and the Vienna Declaration, require by implication that the question of economic and social rights should also be taken into consideration.

11. We therefore propose that States should be called on to transform the "ten commitments" made at Copenhagen into a convention with the full force of law and with binding effect, and that the Commission on Human Rights should give a hearing to the bodies responsible for follow-up to the Copenhagen commitments.